ings, instruments, and statutes he was also without a peer. In the accomplishments which attract attention to an advocate in court, he was not so pre-eminent. In the art of cross-examination, he made no such reputation as that of O'Connor, Bangs, Fullerton and Choate. The graces of oratory, also, he did not possess, although he tried to cultivate them. He could not expand and reiterate an argument with varied illustrations. His perorations were often awkward if not turgid. He dominated and at times bullied, but rarely if ever conciliated the bench. It was by logic, clearness of statement and personal force that he won his greatest victories in argument.

The reputation of the lawyer, however, is ephemeral; and had his life been confined to the practice at the bar he would soon have been forgotten. David Dudley Field was spurred by an ambition to acquire something greater than wealth or professional pre-eminence, both of which he easily attained. He wished to leave not only his clients but the world his debtor, and for that he devoted his learning and technical training to the removal of the obstructions to the administration of justice which for centuries had always delayed and too often defeated suitors in England as well as the United States. Alone and unaided he undertook the task. His hand and brain pointed out the way, argued the practicability and expedience of fusing law and equity together, and drew the statutes by which that fusion was accomplished. The work was colossal and its opponents numerous, able and bitter. They comprised almost the entire bar of his own state, who found fault with his phraseology, denied the possibility of what he attempted, and compared "Jack Code" with Jack Cade. But his untiring energy persuaded the people of his own state to outvote the lawyers. And the success of the experiment in New York procured its imitation, with the approval of the bar, in almost every system of jurisprudence founded upon the common law throughout the world. In his later years, he dwelt with just pride upon the fact that he found at the Antipodes, in British China, India, Australia and Ceylon as well as in England, Canada, and more than twenty-seven states of his own country, judges daily enforcing statutes containing language written by him at Stockbridge forty years before.

For this posterity will not forget him. Greater than Bentham, he accomplished and himself framed the principal measures of reform which he preached upon the housetops. Unlike that of Napoleon and Justinian, his work was performed in the face of the most stubborn resistance and practically alone. And so long as Anglo-Saxon jurisprudence is administered his name will be held in grateful remembrance.

ROGER FOSTER.

Cases on American Constitutional Law. Edited by CARL EVANS BOYD, Ph.D. (Chicago: Callaghan and Co. 1898. Pp. xi, 678.)

THIS is a short collection of cases for the use of college and law-school classes. It is based upon the larger and valuable collection edi-

ted by Professor James Bradley Thayer of the Harvard Law School. It contains but two cases not in its model; and should be used only by students who are too poor to buy Thayer's *Cases*. It is confined to decisions of the Supreme Court of the United States; and the omission of head-notes, which seems to be considered necessary in books prepared for use in the case system of instruction, makes it useless to the practitioner.

The work of the editor and publisher seems to be well done. The type, paper and binding are excellent, although the failure to cite volumes and pages in the table of cases is an irritating blemish. The Income Tax cases and the Debs case are included in the collection. And the notes, so far as they go, are accurate and fit for their object, the instruction of the beginner.

The modesty of the preface disarms the critic. The size of the volume affords an adequate excuse for the exclusion of many cases, which we should expect to find there. There are, however, a few omissions which we think will make the book tend to mislead the student. The editor should have added a note referring to the later cases which have limited the effect of the Dartmouth College case (4 Wheaton 518). The Original Package cases (Peirce *v.* The State of New Hampshire, 5 Howard 504, and Leisy *v.* Hardin, 135 U. S. 100) should also be accompanied by a note showing that they have been obviated, so far as the sale of intoxicating liquor is concerned, by an Act of Congress (August 8, 1890, 26 St. at L. 313) which was held by a divided court to be constitutional, *In re* Rahrer (140 U. S. 545). A reference should also have been made to the first South Carolina Liquor cases, Scott *v.* Donald (165 U. S. 58), Same *v.* Same (165 U. S. 107). We presume that the last South Carolina Liquor cases, Vance *v.* W. A. Vandercook Co. (170 U. S. 438) and the last Oleomargarine cases, Schollenberger *v.* Pennsylvania (171 U. S. 1) and Collins *v.* New Hampshire (171 U. S. 30), were reported after Doctor Boyd's book was in press.

Doctor Boyd appends to his report of the Slaughter House Cases (16 Wall. 36), a note containing only a quotation from a statement by Mr. Justice Miller, in 1887, fourteen years after the decision, saying that "no attempt to override or disregard this elementary decision of the effect of the three new constitutional amendments upon the relation of the state governments to the Federal government has been made." The editor should have added to this the information for the student that the principles laid down in this opinion have now been overruled. The Supreme Court has held repeatedly that the protection of the Fourteenth Amendment covers the white as well as the colored races and forbids discrimination upon other grounds than race, color or previous condition of servitude (*e. g.*, Gulf, Colorado and Santa Fe Railway Co. *v.* Ellis, 165 U. S. 180). And the late case of Allgeyer *v.* Louisiana (165 U. S. 578) holds squarely that the Fourteenth Amendment gives to the Supreme Court of the United States the power to hold void all state legislation, which in its opinion unreasonably restricts the right to pursue a lawful calling. This decision and that which upheld the Utah Ten

Hour Law (Holden *v.* Hardy, 169 U. S. 366) should have been at least cited in this collection.

ROGER FOSTER.

Mr. Samuel N. Norton, of Rio Vista, California, sends us a handy little pamphlet entitled *Days and Dates*, which presents ingenious and, so far as we have tested them, accurate tables for finding the day of the week on which any date from A. D. 1000 to A. D. 2282 fell or will fall, by Old Style or by New Style. Useful as the tables will no doubt be to persons who have no more extensive handbook of chronology, the letter-press which accompanies them is not impeccable. It is an error to say that all Catholic nations at once adopted "New Style" upon its installation by Pope Gregory, October 4, 1582. It is a similar error to say that in September 1752 all Protestant nations, following England's example, adopted that style. The author speaks of the enactments of Romulus and Numa with respect to the calendar as well-established matters of fact. The pamphlet closes with a concordance of the French Revolutionary calendar with the Gregorian; it is one day out for the years IV. and VIII.

Mr. Joseph H. Crooker's little book on *The Growth of Christianity* (Chicago, Western Unitarian Sunday-school Society, pp. 241) is the result of a modest and earnest attempt to give a purely rational account of Christian history, chiefly for the use of Sunday-schools. For such purposes it is perhaps too fluid and abstract, assuming or leaving at one side the solid structure of concrete facts which Sunday-school pupils so much need, and taking rather the form of a comment on Christian history already known. The comment is conceived distinctly from the point of view of Unitarianism, and is, as might be expected, enthusiastic for liberty and optimistic with respect to human nature. While its denominational tone is seldom narrow, no slight distortion of view in respect to the relative importance of different portions of church history might easily be produced by the disproportionate space which the book gives to the Trinitarian controversies in early times, and those relating to Arminianism and religious freedom in later years. Some portions of the author's prodigious field have to be slighted in consequence. Yet the book is in many ways unusually good among manuals so brief.

The authors ("H. M. and M. A. R. T.") of a *Handbook to Christian and Ecclesiastical Rome* (London, Adam and Charles Black) have planned "to give the visitor to Rome full information about the Christian side of its history, about Roman churches, ceremonies and customs, which does not fall within the scope" of Murray's and other guide-books. Their first volume, now published, a volume of 547 pages, of a mechanical execution well adapted to its purpose, is devoted to The Christian Monuments of Rome. The subject of the second will be The Liturgy in Rome. The third will deal with Monasticism in Rome and